

Service Date: August 12, 1997

FINAL ORDER NO.6432

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF Gertrude L. Herman)	
dba Taxi , Roundup, Montana, Application)	Docket No. T-97.21. PCN
for a Montana Intrastate Certificate of Public)	Order No. 6432
Convenience and Necessity.)	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On May 27, 1997, **Gertrude L. Herman dba Taxi**, Roundup, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B -Passengers within the City of Roundup, Montana and a fifty (50) miles radius thereof.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public June 3, 1997. That notice said in pertinent part:

If no written protests are received by June 23, 1997, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were received from Karst Stage, Inc., Bozeman, Montana; Foosco, Inc. dba City Cab, Billings, Montana; and Two Shews, Inc. dba Billings Yellow Cab, Billings, Montana.

4. All protests were withdrawn after the Applicant restrictively amended the application. The amendments are incorporated into the Order granting authority herein.

5. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 11th day of August, 1997, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-97.21.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Gertrude L. Herman dba Taxi**, Roundup, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B -Passengers within the City of Roundup, Montana and a fifty (50) miles radius thereof.

Limitations: 1) Transportation within Yellowstone County is

prohibited, 2) Transportation is restricted to service in vehicles with seating capacity of five (5) people or less.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 11th day of August, 1997, by a vote of 4-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

DAVE FISHER, Chairman

NANCY McCaffree, Vice Chair

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Final Order issued in Docket T-97.21.PCN in the matter of Gertrude L. Herman dba Taxi, Roundup, Montana has today been sent to all parties listed.

MAILING DATE: August 12, 1997

FOR THE COMMISSION

FIRST CLASS MAIL

Gertrude L. Herman
dba Taxi
1607 3rd Street West
P.O. Box 445
Roundup, MT 59072

Foosco, Inc.
dba City Cab
2319 Mont. Avenue
P.O. Box 2333
Billings, MT 59103-2333

Karst Stage, Inc.
511 North Wallace
Bozeman, MT 59715

Two Shews, Inc.
dba Billings Yellow Cab
18 Burlington Avenue
P.O. Box 1831
Billings, MT 59103

AS ITS INTERESTS MAY APPEAR:

Montana Consumer Counsel
34 West Sixth Avenue
P.O. Box 201703
Helena, MT 59620-1703